IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE
and
THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION No. 2426 of 2004

Between:
1. Varada Veera Kota Basva Mallayya, s/o Chandrayya, r/o Door No.2-147, Chinaamiram, Bhimavaram Mandal, West Godavari District.
2. G.Veeranna, s/o Venkata Subba Rao, r/o D.No.2-178, Chinnamiram, Bhimavaram Mandal, West Godavari District.
3. Siddhani Siva Veerabhadra Gangadhara Rao, s/o Chittiyya, r/o D.No.2-152, Chinnaamiram, Bhimavaram Mandal, West Godavari District.
4. G.Surya Kumari, w/o Veeranna, r/o 2-184, Chinaamiram, Bhimavaram Mandal, West Godavari District.
5. Gudimetla Chittemma, w/o Sambasiva Rao, D.No.2-191, Chinaamiram, Bhimavaram Mandal, West Godavari District.
6. Varada Koteswaramma, w/o V.K.V.Subba Rao, D.No.2-166, Chinaamiram, Bhimavaram Mandal, West Godavari District.

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PETITIONER(S)

AND

1. The Government of Andhra Pradesh, rep., by its Secretary, Panchayat Raj and Rural Development Department, Secretariat, Hyderabad.
2. The District Collector, West Godavari District, Eluru.
3. The District Panchayat Officer, West Godavari District, Eluru.
4. The Mandal Development Officer, Mandal Parishad, Bhimavaram, West Godavari District.

5. China Amiram Gram Panchayat, China Amiram, Bhimavaram Mandal,
West Godavari District rep., by its Sarpanch

6. The Panchayat Secretary, China Amiram Gram Panchayat, China Miram, Bhimavaram Mandal, West Godavary District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ of mandamus or any other appropriate writ, order or direction declaring the action of the respondents 1 to 4 herein in not taking any suitable and appropriate action on the representations dt.22.10.2003 and 28-11-2003 submitted by the villagers of China Amiram, Bhimavaram Mandal, West Godavari District as illegal, arbitrary, unreasonable and violative of Article 14 of the Constitution of India besides being opposed to the very spirit and object of the provisions of the Andhra Pradesh Panchayat Raj Act and consequently direct the respondents 1 to 4 herein to take suitable and appropriate action on the said representations.

For the Petitioner:MR.A.V.SESHA SAI , Advocate.

For the Respondents: Govt. Pleader for Panchayat Raj for RR.1 to 4.

MR.SRINIVAS DAMMALAPATI, Advocate for RR.5 & 6.

The Court Made the Following :

ORAL ORDER: (per the Hon'ble the Chief Justice, Sri Devinder Gupta)

The writ petition is by way of public interest litigation for the benefit of the poorer sections of the society belonging to Scheduled Castes and Scheduled Tribes of China Miram village, Bhimavaram Mandal, West Godavari District. In nutshell, the grievance of the petitioners is that beneficial measures are undertaken in the village by the Gram Panchayat with a view to give more facilities to people belonging to rich community ignoring the claim of Scheduled Castes and Scheduled Tribes and weaker sections. Grievance is made as to laying of roads and providing of water tap connections. Accordingly,

direction is sought to direct the Gram Panchayat to provide additional private tap connections.

Alluri Nagaraju, District Panchayat Officer, West Godavari filed affidavit denying the allegations in general and stating that there are 15 roads in S.C. & B.C. area. Out 15 roads, already 6 C.C. roads have been completed and eight roads were completed. Two more roads were sanctioned and tenders have been called for. On receipt of the tenders, the works will be finalized. Further action will be taken to take up the other roads during the ensuing financial year basing on the availability of funds and resolution of the Gram Panchayat.

As regards water tap connections, it is stated that initially 506 applications were received along with contributions, out of which 454 connections were released and the balance tap connections are yet be released. The same are likely to be released after the new O.H.S.R. scheme is put to charge. It is stated that O.H.S.R. for 1,20,000 litres is under completion and laying of pipeline work is in progress. Old pending applications, along with 488 new applications including those of petitioners will be duly considered for grant of connection. Decision will be taken by taking permission from the District Panchayat Officer.

In view of the assurance given in the affidavit filed by the District Panchayat Officer, we are of the view that the grievance of the petitioners is likely to be met in the current financial year. For that reason, no further direction is required to be issued except by taking the assurance of the respondents on record.

The writ petition, therefore, is closed.

VR/ARS. SPECIAL OFFICER

//TRUE COPY//

SECTION OFFICER.

1. The Government of Andhra Pradesh, rep., by its Secretary, Panchayat Raj and Rural Development Department, Secretariat, Hyderabad.
2. The District Collector, West Godavari District, Eluru.
3. The District Panchayat Officer, West Godavari District, Eluru.
4. The Mandal Development Officer, Mandal Parishad, Bhimavaram, West Godavari District.

5. 2 CCs to learned Govt. Pleader for Panchayat Raj, High Court of A.P., on usual terms.

6. 2 CD copies.
7. One spare copy.